Previous references. 1889-1890
~~490~~
(Courts)

File No. 1

Serial Nos

Later references.

9.1

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 2

Part B. for

SUBJECT.

Circular No: 8974-82/202 D/ 14-2-1890.
enjoining the exercise of care & caution
under Section 95 of the Criminal Procedure
Code in the matter of requiring the Postal or
Telegraph Department to deliver up a document
in its custody.

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1. 8974-82/Cir. 202 D/ 14-2-1890. to the
D. of Police &
Dy. Comm'rs &c.:
Forwards copy of the Circular enjoining
upon all Magistrates & Courts concerned the
exercise of the greatest care & caution in
taking action under Sec: 95 of the Cr: Pro: Code

2. 90 02/77 D/ 14-2-1890. to the Registrar
Ch: Court
Forwards for issue of necessary
instructions from the Courts the
accompanying copy of the above
Circular.

G. R. S. 58

Order

Resolution

In 8974-82 of 14-2-90
cr 202

Section 95 of the Criminal Procedure Code prescribes the procedure to be adopted in cases in which the production of a document in the custody of the Postal or Telegraph Authorities is necessary or desirable for the purpose of any proceeding under the Criminal Procedure Code, and empowers District Magistrates, Courts of Session and the ~~High~~ Chief Court to require the Postal or Telegraph Authorities to deliver the documents to such person as the Magistrate or Court directs. Section 96 ~~provides for the issue of search warrants in such cases in the circumstances therein~~ specified.

(and the wording in impose Crimd P Code
Yes - Chief in the word in the section -

2 The powers thus conferred are large and important and require to be exercised with extreme care and caution particularly as the Post and Telegraph Offices in Mysore form part of the Imperial System and are under the direct Control of the Government of India.

3. The Government of His Highness the Maharajah resolve to impress this fact on the District Magistrates and Sessions Courts in Mysore, and to request that a full report shall be immediately submitted for the information of His Highness's Government wherever action is taken under the Sections above mentioned.

Order

Ordered that a Copy

3. The Ch. Court will accordingly be requested to enjoin ~~Caution & Care~~ upon all Magrs & Court Concerned, the exercise of the greatest Care & Caution in ~~the~~ taking action under ~~the powers conferred by~~ Sections of the Cr. P. Code, and to require them to submit immediately full reports of all cases, wherever such action has been taken

~~of this resolution~~ the Commissioner with a letter
~~asked by letter~~ to the Chief Court Judge for the necessary instructions to the Subordinate Courts, and that a copy be sent to the Inspr Genl of Police & Deputy Commissioners for information and guidance.

14/2/90 Chairman

To the Inspector Genl of Police
& Comr of Ottr

The letter to ch. cl. may go from the Secretariat to the Regr for the info of & necessary instns to the ch. cl for ?

- other info of Govt &c.

1890.

GOVERNMENT OF MYSORE.

JUDICIAL

PROCEEDINGS.

Dated 14*th February* 1890.

No. 8974-82.
Cir. 202.

Enjoining the exercise of care and caution in taking action under Section 95 of the Criminal Procedure Code in the matter of requiring the Postal or Telegraph Departments to deliver up a document in its custody.

Mysore Govt. Central Press, Bangalore.—13-3-90—200.

Proceedings of the Government of His Highness the Maharaja of Mysore, (Judicial),—dated 6th February 1890.

No. 8974-82—Cir. 202, dated, Bngalore, 14th February 1890.

Order thereon.—Section 95 of the Criminal Procedure Code prescribes the procedure to be adopted in cases in which the production of a document in the custody of the Postal or Telegraph authorities is necessary or desirable for the purpose of any proceeding under the Ciminal Procedure Code, and empowers District Magistrates, Courts of Session and the Chief Court to require the Postal or Telegraph authorities to deliver the documents to such person as the Magistrate or Court directs.

2. The powers thus conferred are large and important and require to be exercised with extreme care and caution particularly as the Post and Telegraph offices in Mysore form part of the Imperial system and are under the direct control of the Government of India.

3. The Chief Court will accordingly be requested to enjoin upon all Magistrates and Courts concerned, the exercise of the greatest care and caution in taking action under Section 95 of the Criminal Procedure Code, and to require them to submit for the information of Government an immediate and full report of all circumstances whenever such action has had to be taken.

Ordered that a copy of the above be communicated by letter to the Chief Court for the necessary instructions to the Subordinate Courts, and that copies be sent to the Inspector General of Police and Deputy Commissioners for information and guidance.

T. ANANDA RAO,
Chief Secretary

To—The Inspector General of Police.
The Deputy Commissioners of Districts.

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Ac 9002/77 of 14-2-90

To

The Registrar
Ch. Court of Mysore

Sir

I am directed to forward for the information of, and for the issue of the necessary instructions from the Chief Court, the accompanying copy of an order enjoining the exercise of care and caution in taking ~~advantage~~ action under sec: 95 of the Cr. Pro. Code in the matter of requiring the Postal or Telegraph Deptt. to deliver up a document in its custody

I have &c

MK
for Chief

Mail
Issued